

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEBORAH D. PETERSON, Personal
Representative of the Estate of James C. Knipple
(Dec.) et al.,

Plaintiffs,

-v-

ISLAMIC REPUBLIC OF IRAN et al.,

Defendants.

10-cv-4518 (KBF)

SPECIAL MASTER'S
SCHEDULING ORDER

By order dated June 7, 2017, the Court appointed me as Special Master in the above-captioned action pursuant to Rule 53 of the Federal Rules of Civil Procedure. (ECF No. 775.) The Court directed me to resolve certain disputes and matters appropriately related thereto (the "Relevant Disputes") with "all reasonable diligence" and in the "order and manner" I determine to be appropriate. (*Id.* ¶¶ 1-2.) I have reviewed the publicly available filings identified in the Court's June 7 order (ECF Nos. 718-24, 726, 727, 735, 737, 738 and 741), and all other filings that appear related thereto (ECF Nos. 740, 741, 744, 746-49, 750-51, 753-64, 765, 769 and 770-73.) In consideration of the foregoing, it is hereby ordered:

1. The Relevant Disputes will proceed on three separate tracks.

a. Trust Administration Disputes—The first track ("Trust Administration Disputes") relates to requests that the Trustee make full disclosure of information concerning all disbursements, costs and other amounts paid from the Qualified Settlement Fund (the "QSF"), disburse attorneys' fees, and provide a schedule for disbursement of the remaining funds being held in the QSF, as well as to a request for a declaration that certain provisions of the Confidential Disbursement Authorization Form are not enforceable. (See ECF Nos. 718-22, 727, 735, 740, 744, 746, 749 and 755.)

b. Advance Company Disputes—The second track (“Advance Company Disputes”) relates to claims by certain entities that the Trustee has improperly suspended distributions from the QSF relating to assignment and sale agreements with certain Plaintiffs. (See ECF Nos. 726, 740, 741, 743, 759 and 761.)

c. Attorneys’ Fee Disputes—The third track (“Attorneys’ Fee Disputes”) relates to disputes between and among counsel manifesting in requests that the Trustee either distribute or refrain from distributing funds from the QSF to counsel for the Plaintiffs in this action and that certain counsel provide accountings of expenses charged to the QSF and a description of ongoing collection efforts, as well as all matters relating to these requests. (See ECF Nos. 718–22, 727, 735, 737, 738, 740, 744, 746–49, 753, 755, 760, 762, 763, 764, 770 and 776.)

2. All correspondence relating to the Relevant Disputes shall be sent by email (to kathleen.massey@dechert.com), with a copy to Paul Curran Kingsbery (paul.kingsbery@dechert.com). Any emails with voluminous attachments (*i.e.*, exceeding 20 MBs) shall be posted electronically to a secure file sharing site. Counsel should contact Mr. Kingsbery by email for access information for the secure site. In that email, please indicate the party or parties whom you represent and in which of the three tracks each party represented is participating.

3. Initial dispute management conferences will be held by telephone in connection with each of the tracks listed above in ¶ 1.

a. On Tuesday, June 13, at 5:00 p.m. (Eastern Daylight Time), I will hold a telephone conference on the Advance Company Disputes. Counsel for the following parties shall attend the June 13 telephone conference:

Party**Counsel**

Trustee Stanley Sporkin

Shalom Jacob, Esq. and Allen Wasserman, Esq.
LOCKE LORD LLP

RD Legal Capital, LLC

Michael Roth, Esq. and David Willingham, Esq.
BOIES SCHILLER FLEXNER LLP

Cedars Funding LLC

James Anderson, Esq. and Justin Browder, Esq.
WILKIE FARR & GALLAGHER LLP

b. On Thursday, June 15, at 6:30 p.m. (Eastern Daylight Time), I will hold a telephone conference on the Trust Administration Disputes. Counsel for the following parties shall attend the June 15 telephone conference:

Party**Counsel**

Trustee Stanley Sporkin

Shalom Jacob, Esq. and Allen Wasserman, Esq.
LOCKE LORD LLP

Annette Livingston

Daniel Cobrinik, Esq.
DANIEL COBRINIK P.C.Ira N. Richards, Esq. and Will Kipines
SCHNAEDER HARRISON SEGAL & LEWIS LLP

Peterson Plaintiffs

Thomas Fortune Fay, Esq.
FAY LAW GROUP P.A.

c. I intend to hold a telephone conference on the Attorneys' Fee Disputes during the week of June 19. Mr. Kingsbery will contact counsel for each of the parties involved in that track in the coming days to determine an appropriate time for that conference.

d. For each telephone conference, Mr. Kingsbery will send dial-in information to counsel listed above in ¶ 3(a)–(b) based on their email addresses listed in the Court's ECF System.

e. Counsel wishing to participate in a particular telephone conference who are not identified above should contact Mr. Kingsbery no later than twenty-four hours before the

scheduled time, indicating whom counsel represents and the party's or parties' interest in participating in the conference.

4. All current deadlines in this action remain in place. Requests for extensions, which are discouraged given the Court's direction to proceed with all reasonable diligence, shall be addressed to me and must state whether any prior request for an extension has been made, whether it was granted, whether all concerned have consented, and why an extension is warranted.

Dated: New York, New York
June 9, 2017



Kathleen N. Massey
Special Master

